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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,016	12/19/2001	Alexandre Drobychev	80168-0239	8774
32658	7590	04/21/2006	EXAMINER	
HOGAN & HARTSON LLP ONE TABOR CENTER, SUITE 1500 1200 SEVENTEEN ST. DENVER, CO 80202			VO, TED T	
			ART UNIT	PAPER NUMBER
			2191	

DATE MAILED: 04/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/021,016

Applicant(s)

DROBYCHEV ET AL.

Examiner

Ted T. Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16, 18-26 and 29-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 18-26, and 29-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the amendment filed on 01/31/06.
Claims 1-16, 18-26, and 29-32 are pending in this application.

Response to Amendments

2. Applicants' amendment filed on 01/31/06 has been fully considered.

With regards to Applicants arguments filed in the remarks, p. 7-9, Applicants alleged that their claiming is to support an intermediate layer between the application software and the server to allow application software developed from various tools to be implemented on any server environment.

It is clearly that the arguments in the remarks fail to point out any patentable features as required under 1.111(c) or/and in MPEP 714.04.

As noted that NAB is a user's guide that discusses elements among the standard application software built for web client/server and server environment. It is clearly that this user guider is a builder that provides a user all elements within the claims. Particularly, it discussed maintaining permanent and session application data persistent across user request boundaries within/during a single user session as argued in the prior Applicants' arguments (See c7-11-12, Working with Session Management; see c9-1, About Enterprise JavaBeans, Entity Beans).

Applicants' arguments are not persuasive because they do not discuss any differences from the NAB. Accordingly, this ACTION IS MADE FINAL. Applicants are reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-16, 18-26, and 29-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Netscape Application Builder, "User Guide", 1999 (hereinafter: NAB).

Given the broadest interpretation of Claims in light of the specification:

As per claim 1: NAB discloses,

A computer system run-time platform for providing features and services for commerce software applications, and operatively adaptable to a server platform capable of server-side presentation logic, the commerce applications platform comprising:

a software portion configured to provide access to data elements (EJBs), including a data and object repository (See c2-1, the table in Parts of an Application: Data access layer; see c6.1, sec Creating Data Access Logic);

a software portion configured to inherit application logic from the commerce applications platform; (See c2-1, the table in sec. Parts of an Application: Data access layer);

a software configured to provide static and dynamic presentation data (See the table in sec. Parts of an Application: Presentation layer; see c7-1, sec. Creating Presentation Logic. Note: both JavaBeans and HTML also used in this User Guide (see c2-3));

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a software portion configured to maintain permanent and session application data persistent across user request boundaries during a single user session (See c7-11-12, Working with Session Management; see c9-1, About Enterprise JavaBeans, Entity Beans); and

a software portion configured to enable access to a business object during the user session (See the table in sec. Parts of an Application: Business layer; see c9-1, sec. Creating Business Logic, refer EJBs/Servets).

As per claim 2: NAB discloses,

The computer system platform of claim 1, wherein the data elements are stored within a computer-readable medium in the form of a data structure forming a list of at least one data element, wherein each data element comprises: a first field containing data representing a data element name; a second field containing data representing the data element type; and a third field containing data representing the data element value (E.g. see c7-2, Servlet Configuration (NTV) Files).

As per claim 3: NAB discloses, *The computer system platform of claim 1, further comprising a software portion configured as a rule engine for evaluating rule parameters (E.g. see c8-12-13).*

As per claim 4: NAB discloses, *The computer system platform of claim 1, further comprising a data management software portion configured to store and retrieve data during a user session (See C7-11, Working with Session Management).*

As per claim 5: NAB discloses, *The computer system platform of claim 1, further comprising user a software portion configured to provide or deny a user access to the commerce software applications (See c7-15, Validation; see c8-12, the table; see c8-13, the expressions – For example, the user/password will deny a user who enters incorrect ID).*

As per claim 6: NAB discloses, *computer system platform of claim 1, further comprising a software portion configured to transfer data to and from a data store (e.g. see c7-14-15, Accessing Data Source via JDBC; and the connection to LDAP server in c10-9, 10).*

As per claim 7: NAB discloses, *The computer system platform of claim 6, wherein the data store further comprises LDAP data stores (See the connection to LDAP server in c10-9, 10).*

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As per claim 8: NAB discloses, *computer system platform of claim 6, wherein the data store further comprises database data stores (e.g. see c7-14-15, Accessing Data Source via JDBC; and the connection to LDAP server in c10-9, 10).*

As per claim 9: NAB discloses, *The computer system platform of claim 1, wherein the business object is cached during the user session (See c9-3, refer to Entity EJBs).*

As per claim 10: NAB discloses,

A method for implementing a first software application resident on a commerce application platform wherein the commerce applications platform is a run-time platform configured to provide access to data elements, inheritance of the first software application logic, static and dynamic presentation data, access to business objects, and access to permanent and session application data during a single user session, the method (Refer EJBs discussed in the entire reference), comprising:

providing presentation information by the first software application seeking input data from a user (See c7-15, Validation, see list in Type Validation: presentation information, seeking input data);

receiving input data from the user for use by the first software application (See c7-15, Validation; see c8-12);

passing the input data to the commerce application platform for validation (See c7-15, Validation; see c8-12, the table);

validating the data by the commerce application platform (See c8-13, the expressions);

providing, by the commerce application platform, business object functionality to the application (See EJBs in entire reference);

preparing presentation information by the application based upon the business object functionality (See c7 and c8); and

accessing the permanent and session application data persistent across user request boundaries during the single user session (See c7-11-12, Working with Session Management; see c9-1, About Enterprise JavaBeans, Entity Beans).

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As per claim 11: NAB discloses,

The method of claim 10, wherein the step of providing presentation information further comprises providing static and dynamic presentation data (See the reference: validation: see parameters used in validation).

As per claim 12: NAB discloses,

The method claim 10, wherein the passing of input data further comprises passing user identification information (See Validation: such as password; see c6-27: Setting Data Connection).

As per claim 13: NAB discloses, *The method of claim 10, wherein the passing of input data further comprises passing data corresponding to commerce functionality (See Validation: such as password; see c6-27: Setting Data Connection; and refer to methods used in servlets and EJBs).*

As per claim 14: NAB discloses, *The method of claim 10, wherein the step of validating the data further comprises invoking a rule engine to determine a validation result (See c8-13, the expressions).*

As per claim 15: NAB discloses, *The method of claim 10, further comprising the step of creating, by the commerce application platform, a business object for providing business functionality (See c.9: Creating Business Logic).*

As per claim 16: NAB discloses, *The method of claim 10, further comprising the step of accessing, by the commerce application platform, an existing business object (See c.9: Creating Business Logic; see the file system such as shown in c9-6).*

As per claim 18: NAB discloses, *The method of claim 10, further comprising the step of implementing a second software application on the commerce application platform (See c.9: Creating Business Logic. For example, see discussion Adding Objects by Dragging and Dropping in c8-8; moreover, "Creating" in Creating Business Logic has means implementing a second software application).*

As per claim 19: NAB discloses, *The method of claim 18, further comprising the step of implementing a second software application by concurrently implementing the first software application and the second software application (See c.9: Creating Business Logic: "Creating" has means implementing a second software application: Simply, a user may use all Windows' commands, Dragging and Dropping, for doing this task).*

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As per claim 20: NAB discloses, *The method of claim 18, further comprising the step of accessing a business object by both the first and the second software applications* (See c.9: Creating Business Logic; and see editors used in the entire reference, example, the file system shown in c9-6 allowing a user to access any EBJ in the computer).

As per claim 21: NAB discloses, *A method for providing services to a first software application residing on a commerce application platform wherein the commerce applications platform is a run-time platform configured to provide access to data elements, inheritance of the first software application logic, static and dynamic presentation data, access to business objects, and access to permanent and session application data during a single user session, the method comprising: receiving from the application input data for validation; validating the input data; providing business object functionality to the application; and accessing permanent and session application data persistent during the single user session* (See rationale in Claim 10 above).

As per claim 22: NAB discloses, *The method of claim 21, wherein the input data received from the application relates to a commerce application function* (Refer parameters shown in Validation).

As per claim 23: NAB discloses, *The method of claim 21, wherein the input data received from the application includes user identification information* (Refer parameters shown the table in Validation).

As per claim 24: NAB discloses, *The method of claim 21, wherein the step of validating the input data further comprises invoking a rule engine to determine a validation result* (See c8-13, the expressions);

As per claim 25: NAB discloses, *The method of claim 21, further comprising the step of creating a new business object* (See c.8).

As per claim 26: NAB discloses, *The method of claim 21, further comprising the step of accessing an existing business object* (See Examiner's rationale in Claim 16).

As per claim 29: NAB discloses, *The method of claim 21, further comprising the step of creating a persistent object based on a persistent object framework* (See Entity EJBs).

As per claim 30: NAB discloses, *The method of claim 21, further comprising the step of receiving input data from a second application on the commerce application platform* (See c7-15, Validation; see c8-12, including Examiner' rationale in Claim 18).

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As per claim 31: NAB discloses, *The method of claim 21, wherein the step of receiving input data from the first software application further comprises concurrently receiving input data from a second software application* (See Examiner' rationale in Claim 19).

As per claim 32: NAB discloses, *The method of claim 21, wherein the step of providing business object functionality to the application further comprises providing the same business object functionality to a second software application* (See Examiner' rationale in Claim 20).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicants are reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted T. Vo whose telephone number is (571) 272-3706. The examiner can normally be reached on 8:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Y. Zhen can be reached on (571) 272-3708.

The facsimile number for the organization where this application or proceeding is assigned is the Central Facsimile number **571-273-8300**.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100. Information regarding the status of an application may

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be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Ted Vo", with a stylized flourish at the end.

Ted T. Vo
Primary Examiner
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April 14, 2006